

Amend 2 Cal. Code of Regs., Section 18351 to read:

18351. Conflict of Interest Code of the Fair Political Practices Commission.

(a) The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Fair Political Practices Commission.

Designated employees shall file statements of economic interests with the Fair Political Practices Commission which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008). Statements for all designated employees will be retained by the Fair Political Practices Commission.

(b) APPENDIX
EXHIBIT A

List of
Designated Positions

Assigned Disclosure
Category

EXECUTIVE OFFICE

Executive Director	1	
General Counsel	1	
Media Director	1	<u>3, 6</u>
Media Intern	1	
Legislative Coordinator	1	
Staff Services Analyst	2	
Associate Editor of Publications	1	<u>6</u>
Associate Information Systems Analyst	1	<u>5</u>
Political Reform Consultant	1	<u>6</u>
Executive Fellow	1	<u>3</u>
Consultant	*	

LEGAL DIVISION

Division Chief	1	
General Counsel	1	
FPPC Counsel, all levels	1	
Graduate Legal Assistant	1	
Political Reform Consultant, all levels	1	<u>3</u>
Staff Services Analyst/Legal Analyst	2	<u>4</u>

ENFORCEMENT DIVISION

Division Chief	1	
Chief Investigator	1	
FPPC Counsel, all levels	1	<u>2</u>
Investigator, all levels	1	<u>3</u>
Accounting Specialist	1	<u>3</u>
Political Reform Consultants, all levels	1	<u>3</u>
Associate Government Program Analyst	1	<u>5</u>

TECHNICAL ASSISTANCE DIVISION

Division Chief	1	
Assistant Chief	1	
Manager, Filing Officer Programs	<u>1</u>	<u>3</u>
Political Reform Consultant, all levels	<u>1</u>	<u>3</u>
Staff Services Analyst	<u>2</u>	<u>3</u>

ADMINISTRATION DIVISION

Division Chief	1	
Deputy Executive Director	<u>1</u>	
Data Processing Manager I	<u>1</u>	<u>4, 5</u>
Information System Technician	<u>3</u>	
Staff Services Manager I	<u>1</u>	
Associate Personnel Analyst	<u>3</u>	<u>4, 6</u>
Associate Governmental Program Analyst	<u>3</u>	<u>4</u>
Associate Information Systems Analyst	<u>3</u>	
Staff Services Analyst	<u>3</u>	<u>4</u>

* Consultants shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The Executive Director may determine in writing that a particular consultant, although a “designated employee” is hired to perform a range of duties that are limited in scope and thus is not required to comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The determination of the Executive Director is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

Disclosure Categories

Category 1

A designated employee in this category must report all investments, business positions, interests in real property, and sources of income.

Category 2

~~A designated employee in this category must report investments and business positions in business entities and income from sources which that:~~

~~1. During the previous two years has published or printed materials of the type utilized by the Fair Political Practices Commission; or~~

~~2. Is or was, during the previous two years, a "public official," a "candidate," a "committee," a "lobbyist," a "lobbying firm," or a "lobbyist employer," within the meaning of the Political Reform Act, or files periodic reports pursuant to Government Code Section 86114 and 86116.~~

~~Are of the type which has published or printed materials for or on behalf of the Fair Political Practices Commission within the previous two years.~~

~~Is or was during the previous two years a "public official" within the meaning of Government Code Section 82048.~~

~~Is or was during the previous two years a "candidate" within the meaning of Government Code Section 82007.~~

~~Is or was during the previous two years a "committee" within the meaning of Government Code~~

~~Section 82013.~~

~~Is or was during the previous two years a "lobbyist" within the meaning of Government Code~~

~~Section 82039.~~

~~Is or was during the previous two years a "lobbying firm" within the meaning of Government~~

~~Code Section 82038.5.~~

~~Is or was during the previous two years a "lobbyist employer" within the meaning of~~

~~Government Code Section 82039.5.~~

~~Is or was during the previous two years required to file periodic reports pursuant to~~

~~Government Code Section 86114 and 86116.~~

A designated employee in this category must report investments and business positions in business entities, and income from:

A) Sources that are, or were, during the previous two years a "candidate," "public official," "committee," "lobbyist," "lobbying firm," or "lobbyist employer" within the meaning of the Political Reform Act, or file periodic reports pursuant to Government Code sections 86114 and 86116;

B) Attorneys of the type to represent persons described in A above; and

C) Collection agencies or bureaus.

Category 3

A designated employee in this category must report investments and business positions in business entities, and income from:

A) Sources that are, or were, during the previous two years a "candidate," "public official," "committee," "lobbyist," "lobbying firm," or "lobbyist employer" within the meaning of the

Political Reform Act, or file periodic reports pursuant to Government Code sections 86114 and 86116;

and

B) Attorneys of the type to represent persons described in A above.

Category 3 4

A designated employee in this category must report investments and business positions in business entities and income from sources ~~which~~ that are of the type which within the previous two years has provided services, equipment, leased space, materials or supplies to the Fair Political Practices Commission.

Category 5

A designated employee in this category must report investments and business positions in business entities, and income from sources that manufacture, distribute, supply, or install computer hardware or software of the type utilized by the agency, as well as entities providing computer consultant services.

Category 6

A designated employee in this category must report investments and business positions in business entities, and income from sources that provide publication or printing services of the type utilized by the agency as well as sources that manufacture, distribute, supply, or install computer hardware or software of the type utilized by the agency.

Note: Authority: Section 83112, Government Code.

Reference: Sections 87300, 87302, 87303, 87306, and 87311, Government Code.

History

- (1) New section filed 9-28-76; effective thirtieth day thereafter.
- (2) Amendment filed 5-2-79; effective thirtieth day thereafter.
- (3) Repealer and new section filed 4-22-81; effective thirtieth day thereafter.
- (4) Amendment filed 2-10-82; effective thirtieth day thereafter.
- (5) Amendment filed 10-10-86; effective thirtieth day thereafter.
- (6) Amendment filed 9-11-90; effective thirtieth day thereafter.
- (7) Amendment filed 8-28-95; effective upon filing.
- (8) Amendment filed 10-2-95; effective upon filing.
- (9) Amendment filed 2-26-99; effective thirtieth day thereafter.